

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
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CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Corning Incorporated		07/31/2003	CORPORATION: NEW YORK

RECEIVING PARTY DATA	
Name:	Avanex Corporation
Street Address:	40919 Encyclopedia Circle
City:	Fremont
State/Country:	CALIFORNIA
Postal Code:	94538
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 4		
Property Type	Number	Word Mark
Serial Number:	75859309	PUREPATH
Registration Number:	2152234	FGM
Registration Number:	2150568	FIBERGAIN
Registration Number:	2458041	PUREGAIN

CORRESPONDENCE DATA	
Fax Number:	(650)493-6811
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Email:	efranko@wsgr.com
Correspondent Name:	Aaron Hendelman
Address Line 1:	650 Page Mill Road
Address Line 2:	WILSON SONSINI GOODRICH & ROSATI
Address Line 4:	Palo Alto, CALIFORNIA 94304

ATTORNEY DOCKET NUMBER:	20397-900
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NAME OF SUBMITTER:	Eva Franko
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Total Attachments: 7

900002431

**TRADEMARK
 REEL: 002730 FRAME: 0279**

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TRADE MARK ASSIGNMENT – UNITED STATES

THIS ASSIGNMENT is made effective the 31st day of July 2003 between Corning Incorporated, a corporation of the State of New York located at One Riverfront Plaza, Corning, New York 14831, USA (hereinafter called the Assignor) of the one part and Avanex Corporation, a corporation of the State of Delaware located at 40919 Encyclopedia Circle Fremont, California 94538, USA (hereinafter called the Assignee) of the other part

WHEREAS

1. The Assignor is the Proprietor of the trademarks, and their registrations or applications for registration, as shown in Schedule TM – United States hereto, (collectively, the "Trademarks").

2. The Assignor has agreed that the right, title and interest in and to the Trademarks shall be assigned to the Assignee, as successor to the ongoing and existing business to which the Trademarks relate, for the consideration hereinafter appearing.

the Assignor set forth in the IP Agreement effective July 31, 2003, the receipt of which is hereby acknowledged, the Assignor hereby assigns to the Assignee ALL THAT the said Trademarks, for all of the goods and/or services included in the relevant registrations or applications or in conjunction with which the Trademarks are used, together with the goodwill of the business associated with and symbolized by the Trademarks and the right of the Assignee to bring actions and claim relief in respect of any infringement or other violation of rights with respect to any of the Trademarks occurring prior to the date hereof TO HOLD the same unto the Assignee absolutely.

The Assignor hereby consents, without any objection, that Assignee solely request recording of this transfer in any jurisdiction where a recording of this transfer may be effected. Assignor agrees that it will cooperate fully with Assignee in completing any further documents that shall be reasonably requested by Assignee in order to complete the assignment of right, title and interest to the Trademarks provided, however, any costs or expenses (including any taxes of any kind) associated with the recordation of any such further document shall be borne solely by Assignee.

IN WITNESS WHEREOF the Assignor has executed these presents the day and year noted below.

Corning Incorporated

By: 

Date: July 28, 2003

Name: Mark W. Lauroesch

Position: Assistant Secretary

[ATTACH NOTARIAL CERTIFICATE]

Accepted by: Avanex Corporation

By: 

Name:

Position:

State of New York)
)
County of Steuben) ss.

On July 28, 2003 before me, Sandra L. Hmiel, Notary Public, personally appeared Mark W. Lauroesch, ~ personally known to me ~~–OR–~~ ~ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Sandra L. Hmiel
Signature of Notary Public

SANDRA L. HMIEL
Notary Public, State of New York
Qualified in Steuben County No. 4907216
My Commission Expires 9-28-05

State of New York)
County of New York) ss.

On July 31, 2003 before me, Ronald Carlton, Notary Public,
personally appeared Bruce C. Pollock, ~ personally known to me **-OR-** ~
proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to
the within instrument and acknowledged to me that he executed the same in his capacity, and
that by his signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.

WITNESS my hand and official seal.

Ronald Carlton
Signature of Notary Public

RONALD CARLTON
Notary Public, State of New York
No. 01CA4841982
Qualified in Kings County
Commission Expires June 30, 2007

Schedule TM – United States

<u>Trademark</u>	<u>(Application)/Registration Serial Number (App.)/Reg. Date</u>
FGM	2,152,234 April 21, 1998
FIBERGAIN	2,150,568 April 14, 1998
PUREPATH	(75-859309) (Nov. 29, 1999)
PUREGAIN	2,458,041 June 5, 2001